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PATENT
Docket No. 511582001620

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Assistant Commissioner for Patents, Washington, D.C. 20231, on July 2, 2002.


Ruth Saskowski

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In the application of:

Daniel E.H. AFAR, et al.

Serial No.: 09/455,486

Filing Date: 6 December 1999

For: NOVEL SERPENTINE
TRANSMEMBRANE ANTIGENS
EXPRESSED IN HUMAN CANCERS
AND USES THEREOF

Examiner: Gary B. Nickol, Ph.D.

Group Art Unit: 1642

NOTICE OF APPEAL

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

All finally rejected claims (specifically, claims 1 and 44-48) in the decision of the
Primary Examiner dated January 2, 2002 are hereby appealed to the Board of Appeals.

- ☐ Appeal Fee not Required.
- ☐ Attached is the Appeal fee of \$0.00.
- ☒ Please charge the Appeal Fee of \$160.00 to Deposit Account No. 03-1952.

The Assistant Commissioner is hereby authorized to charge any additional fees under
37 C.F.R. §§ 1.16 and 1.17 that may be required by this Notice of Appeal, or to credit any

07/12/2002 AWONDAF1 00000095 031952 09455486

01 FC:219 160.00 CH

sd-99260

overpayment, to Deposit Account No. 03-1952. A duplicate copy of this Notice is enclosed for that purpose.

Respectfully submitted,

Dated: July 2, 2002

By:



Kate H. Murashige
Registration No. (29,959)

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

7

Application Number

09/455,488

Filing Date

6 December 1999

First Named Inventor

Daniel E.H. AFAR, et al.

Group Art Unit

1642

Examiner Name

Gary B. NICKOL, Ph.D.

Attorney Docket No.

511582001820

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JUL 25 2002
TECH CENTER 1600/2302

ENCLOSURES (check all that apply)



Fee Transmittal Form



Assignment Papers
(for an Application)



After Allowance Communication to Group



Fee Attached



Drawing(s)



Appeal Communication to Board of Appeals and Interferences



Amendment / Reply



Licensing-related Papers



Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)



After Final



Petition



Proprietary Information



Affidavits/declarations



Petition to Convert to a Provisional Application



Status Letter



Extension of Time Request



Power of Attorney, Revocation
Change of Correspondence Address



Other Enclosure(s) (please identify below):



Express Abandonment Request



Request for Refund



☒ Postcard



Information Disclosure Statement



CD, Number of CD(s) _____



Certified Copy of Priority Document(s)

Remarks



Response to Missing Parts/
Incomplete Application



Response to Missing Parts
under 37 CFR 1.52 or 1.53

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or
Individual Name

Kate H. Murashige
Registration No. 29,959
Morrison & Foerster LLP
3811 Valley Centre Drive, Suite 500
San Diego, CA 92130

Signature

Kate H. Murashige

Date

July 2, 2002

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[Signature]
Ruth Saskowski

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Complete if Known

FEE TRANSMITTAL
FOR FY 2002Duplicate Copy
For Fee Processing

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 160.00)

Attorney Docket No.

511582001620

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

03-1952

Deposit
Account
Name

Morrison & Foerster LLP

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
-20 =	x	= \$	
Independent Claims -3 =	x	= \$	
Multiple Dependent		= \$	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claims, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0)

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	\$160
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$160.00)

SUBMITTED BY

Name (Print/Type)

Kate H. Murashige

Registration No.
(Attorney/Agent)

29,959

Complete (if applicable)

Telephone

(858) 720-5112

Signature



Date

July 2, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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